

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER

MERCK-3095

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/561989

INTERNATIONAL APPLICATION NO.

PCT/EP2004/005931

INTERNATIONAL FILING DATE

02 June 2004 (02.06.2004)

PRIORITY DATE CLAIMED

25 June 2003 (25.06.2003)

TITLE OF INVENTION


THIAZOLYLPIPERIDINE DERIVATIVES AS MTP INHIBITORS

APPLICANT(S) FOR DO/EO/US

Philippe GUEDAT, et al.

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information.

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
 2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
 3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
 4. ☒ The US has been elected (Article 31).
 5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
 6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto.
 - b. ☒ has been previously submitted under 35 U.S.C. 154(d)(4).
 7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
 8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
 9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
 10. ☐ English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
- Items 11 to 20 below concern document(s) or information included:**
11. ☒ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
 12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
 13. ☒ A preliminary amendment.
 14. ☐ An Application Data Sheet under 37 C.F.R. 1.76.
 15. ☐ A substitute specification.
 16. ☐ A power of attorney and/or change of address letter.
 17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.
 18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
 19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
 20. ☐ Other items or information:.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/561989		INTERNATIONAL APPLICATION NO. PCT/EP2004/005931		ATTORNEY'S DOCKET NUMBER MERCK-3095	
The following fees have been submitted				CALCULATIONS PTO USE ONLY	
21.	<input checked="" type="checkbox"/> Basic national fee		\$300	\$300.00	
22.	<input checked="" type="checkbox"/> Examination fee			\$200.00	
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) \$100					
All other situations \$200					
23.	<input checked="" type="checkbox"/> Search fee			\$500.00	
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an					
International Searching Authority \$100					
International Search Report prepared and provided to the Office \$400					
All other situations \$500					
Total of 21, 22 and 23 =				\$1000.00	
<input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE	
693- 100	593/50 =	12		x \$250	\$3000.00
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$4000.00	
CLAIMS		NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims		18- 20 =	0	x \$50	\$
Independent Claims		1- 3 =	0	x \$200	\$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$360	\$
TOTAL OF ABOVE CALCULATIONS =				\$4000.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.					
SUBTOTAL =				\$	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
TOTAL NATIONAL FEE =				\$4000.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$4000.00	
				Amount to be refunded:	\$
				Amount to be charged:	\$
a.	<input checked="" type="checkbox"/>	A check in the amount of <u>\$4000.00</u> to cover the above fees is enclosed.			
b.	<input type="checkbox"/>	Please charge my Deposit Account No. 13-3402 in the amount of \$_____ to cover the above fees. A duplicate copy of this sheet is enclosed.			
c.	<input checked="" type="checkbox"/>	The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-3402. A duplicate copy of this sheet is enclosed.			
d.	<input type="checkbox"/>	Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form Provide credit card information and authorization on PTO-2038.			
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
 SIGNATURE # <u>32,004</u> <u>Anthony J. Zelano</u> NAME 27,969 REGISTRATION NUMBER					
Date: December 23, 2005					